

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ SEP 02 2005 ★

BROOKLYN OFFICE

BARBARA SCHWAB et al., individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

PHILIP MORRIS USA, INC. et al.,

Defendants.

Civil Action No. CV 04-1945

MEMORANDUM & ORDER

JACK B. WEINSTEIN, Senior District Judge:

Proffered materials regarding the following potential witnesses submitted after briefing of defendants for the motions returnable on September 12, 2005 will not be considered on the motions:

Dr. John Hauser

Judith Wilkenfeld

Matthew Myers

Laurence Tribe

Katherine Kinsella

Richard Redfern

Dr. Paul Slovic

Dr. Joel Cohen

Dr. Marvin Goldberg

Dr. Stanley Presser

[Handwritten signature]

Dr. John C. Beyer

SO ORDERED.

Jack B. Weinstein

Dated: August 31, 2005
Brooklyn, New York